

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** INFORMATION TECHNOLOGY

**AGENDA DATE:** August 11, 2009

**CONTACT PERSON/PHONE:** GERALD GORDIER (915) 541-4288

**DISTRICT(S) AFFECTED:** Terrence Freiburg, Purchasing Manager, 541-4313  
ALL

**SUBJECT:**

Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue a Purchase Order to SirsiDynix Corporation, the sole source developer, manufacturer and distributor, who is the current provider of the Library Automation Software. Maintenance for the Horizon Software and other SirsiDynix Software can only be provided by SirsiDynix Corporation. Total Amount \$54,158.04. Reference 2006-196.

**BACKGROUND / DISCUSSION:**

The El Paso library system has been using this application for several years and this is a continuation of maintenance of the Dynix/Horizon Software for another fiscal year. This maintenance contract includes both hardware and software maintenance.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

YES

**AMOUNT AND SOURCE OF FUNDING:**

Total: \$54,158.04 the funding is available in the Information Technology Department's General Funds Acct: 502202-01101-39010351-39001.

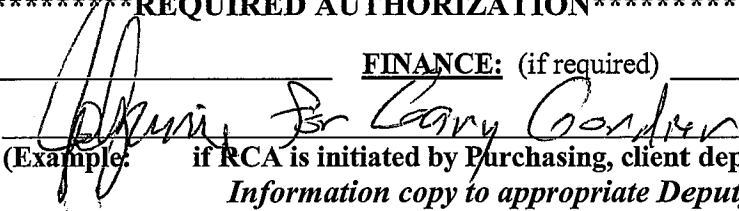
**BOARD / COMMISSION ACTION:** Enter appropriate comments or N/A

NA/

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:**

  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

PROJECT FORM

FINANCIAL SERVICES DEPARTMENT, PURCHASING DIVISION

DATE: July 30, 2009

TO: Municipal Clerk

FROM: Terrence Freiburg  
Purchasing Manager, ext. 4313

Edward Hyatt  
Administrative Analyst, ext. 4315

Please place the following item on the CONSENT Agenda for the Council Meeting of Tuesday, August 11, 2009.

Item should read as follows:

Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to SirsiDynix Corporation as the sole source provider of maintenance for Horizon software and other SirsiDynix software in the estimated annual amount of \$54,158.04.

Department: Library  
Estimated Annual Amount: \$54,158.04  
Funds Available in: 39010351-502202-01101-39001  
Funds Source: Information Technology, General Fund  
Sole Source No: 2009-298  
District (s): All

Municipal Clerk's Use

ITEM NO. \_\_\_\_\_

cc: BID FILE

*Edward Hyatt*

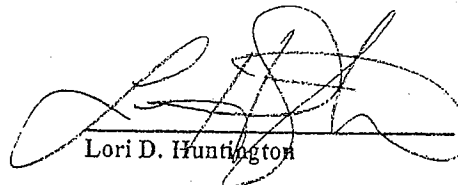


SOLE SOURCE AFFIDAVIT

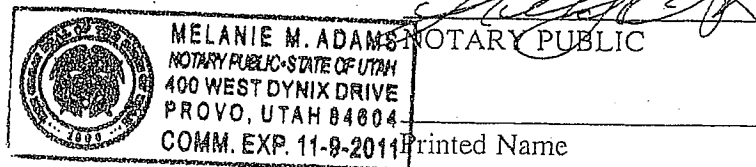
THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared Lori D. Huntington, a person know to me to be the person whose signature appears below, whom after being duly sworn upon his oath deposed and said:

1. My name is Lori D. Huntington. I am over the age of 18 and have never been convicted of a crime and am competent to make this affidavit.
2. I am an authorized representative of sirsiDynix.
3. The above named company is the sole source of the following items(s), product(s) or services(s):
  - a. Horizon Automated Library Software
    - Platform Migration Serives
    - Server Staging and Software Installation
    - Remote Server Ingegration
4. Completion in providing the above named item(s), products(s), services(s) is precluded by the existence of a patent, copyright, secret process or monopoly, as states under Section 252.022, Subchapter A of the Local Government Code 7A or as provided under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this bidder is a sole source provider (dated and signed).
5. There are no other like items or products available for purchase that would serve the same purpose or function.
6. **Note: This bidder understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible bidder on this and future solicitation and may result in discontinuation of any/all business with City of El Paso.**

  
Lori D. Huntington

SUBSCRIBED AND SWORN to before me on the 13 day of July, 2009



\_\_\_\_\_  
My Commission Expires

Company: SirsiDynix  
Address: 400 W. Dynix Drive  
City, State, Zip: Provo, Utah 84604  
Fax Number: 801-223-5561  
Contact Name: Lori D. Huntington  
Email: lori.huntington@sirsidynix.com  
Federal Tax Id: 63-1233771



July 13, 2009

Nora Rayas  
El Paso Public Library  
501 North Oregon  
El Paso, Texas  
79901  
[rayasna@elpasotexas.gov](mailto:rayasna@elpasotexas.gov)

Re: Sole Source for Horizon ILS

Dear Ms. Rayas:

This letter is to confirm that Sirsi Corporation d/b/a SirsiDynix ("SirsiDynix") is the developer and/or sole source provider for all SirsiDynix software and specialized services. The SirsiDynix Horizon collection management system ("HORIZON") product was developed at private expense by SirsiDynix. HORIZON is a proprietary software product that is only available from SirsiDynix and SirsiDynix retains the exclusive trademark, copyright, trade secret and/or patent rights to the HORIZON software. The HORIZON software is provided only to those users that have signed a licensing agreement, therein agreeing to protect the confidentiality of the proprietary information and trade secrets of SirsiDynix's HORIZON software. SirsiDynix has sole knowledge of the development of the software and certain configuration requirements that are exclusive to the HORIZON software. Consequently, only SirsiDynix is able to sell and maintain the software as well as continue to make further enhancements in the HORIZON software.

SirsiDynix is the library automation vendor for the Library pursuant to an agreement that has been signed by both parties. As such, SirsiDynix provides maintenance and support for the complete system for the library. As software is added to the system, SirsiDynix requires that the library software and specialized services be purchased directly from SirsiDynix in order to ensure continued support and compatibility of the new software with the existing system.

Please let me know if I can provide any additional information or answer any questions for you.

Sincerely,

A handwritten signature in cursive script that reads "Kari Baardson".

Kari Baardson  
Associate Corporate Counsel